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Re.: Docket No.: 886.1001  
Applicant(s): Michael KOCHMAN, et al.  
Serial No.: 09/552,586  
Invention: MASSAGER PROVIDING RADIANT HEAT AND MECHANICAL MANIPULATION  
Filing Date: April 19, 2000

Enclosed:

- Request for Continued Examination (RCE) Transmittal (1 page);
- Preliminary Amendment with RCE (10 pages);
- Request for Withdrawal of Appeal (1 page);
- Power of Attorney by Tensor Technologies, LLC (1 page); and
- Statement under 37 CFR 3.73(b) by Tensor Technologies (1 page)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Applicant: Michael KOCHMAN, et al.  
Serial No.: 09/552,586  
Filed: April 19, 2000  
For: **MASSAGER PROVIDING RADIANT HEAT AND  
MECHANICAL MANIPULATION**  
Examiner: Victor K. Hwang (Art Unit 3764)

Mail Stop: RCE  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

November 15, 2004

**REQUEST FOR WITHDRAWAL OF APPEAL**

S I R:

The above-identified application is currently under appeal at the Board of Patent Appeals and Interferences of the U.S. Patent and Trademark Office, based upon a Notice of Appeal filed November 25, 2003. An Appeal Brief was filed on February 17, 2004, and the Examiner's Answer was filed on September 21, 2004.

Concurrently with the filing of a Request for Continued Examination under 37 C.F.R. § 1.114, Applicant hereby submits this Request for Withdrawal of Appeal in connection with the above-identified application to withdraw the appeal and reopen prosecution of this application.

Respectfully Submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Morey B. Wildes  
Reg. No. 36,968

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PTO/SB/86 (09-04)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael Kochman and Amir WaldmanApplication No./Patent No.: 09/552,586Filed/Issue Date: April 19, 2000Entitled: MASSAGE DEVICE PROVIDING RADIANT HEAT AND MECHANICAL MANIPULATIONTensor Technologies, LLCa corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010757, Frame 0745, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

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- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

**(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]**

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

M. Kochman  
Signature

Michael Kochman

Printed or Typed Name

Chief Executive Officer

November 3, 2004

Date

(201) 560-1270

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.